

### **REMARKS**

Claims 1-6 and 15-20 are pending. The Office Action dated June 9, 2009 in this Application has been carefully considered. The above amendments and the following remarks are presented in a sincere attempt to place this Application in condition for allowance. Claim 5 has been amended in this Response. Reconsideration and allowance are respectfully requested in light of the above amendments and following remarks.

#### **35 U.S.C. § 112 Rejections**

Claim 17 stands rejected under 35 U.S.C. § 112 as failing to comply with the written description requirement. Claim 17 recites: “The system of Claim 15, wherein the IP address is the IP address of the wireless mobile device.” The Office Action states that the claim limitation “the IP address is the IP address of the wireless mobile device” is not described in the specification. However, at least at Figure 2 and page 7 of the application as originally filed describe the limitation.

Claim 15 recites “the IP address” is an IP address associated with a device on the network the wireless mobile device is configured to (1) request from the serving network, (2) receive, and (3) perform a reverse domain name query using. Claim 17 recites this IP address is that of the wireless mobile device.

Flows 210 and 220 in Figure 2 show the mobile device or user equipment 202 requesting and receiving its IP address. Page 7, lines 5-6 states “in flow 210, there is a request made **from the UE 202 to the AGW 204** asking permission to access the IP network. In flow 220, the AGW 204, if it allows UE 202 to access the IP network with which the AGW 204 is associated, **assigns UE 202 a global IP address** and provides the IP address associated with AGW 204.” (Emphasis added). Thus, the mobile device or user equipment 202 is configured to request an IP address in flow 210 and receive the IP address in flow 220.

Flow 230 in Figure 2 shows the mobile device or user equipment 202 performing a reverse domain name query, which the caption states may be performed using its "own IP address or IP address associated with AGW." Page 7, lines 22-23 states that "[t]he reverse DNS query of flow 230 conveys either **the IP address of the UE 202**, or an IP address associated with AGW 204." Therefore, the specification discloses that the IP address of the wireless mobile device, as recited in Claim 17, may be utilized in the method of Claim 15.

### **35 U.S.C. § 103 Rejections**

Claims 1-3, 15, and 20 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,970,924 to Chu et al. ("Chu") in view of U.S. Patent No. 7,225,272 to Kelley et al. ("Kelley") in further view of U.S. Patent No. 7,349,894 to Barth et al. ("Barth"). Insofar as the references may be applied against the Claims, these rejections are traversed. Accordingly, Applicants respectfully request that the rejections be withdrawn.

#### **A. The cited references do not disclose two separate, interrelated queries**

Claim 1 recites the performance of two separate, interrelated queries. A reverse domain name query is performed to obtain a domain name. The domain name is used to perform a domain name query. None of Chu, Barth, and Kelley disclose performing a domain name query using the result of a reverse domain name query.

The Office Action cites Chu col. 16, lines 7-32, as disclosing both queries. The cited portion of Chu discloses only a reverse domain name query or "reverse DNS lookup." The following statements in Chu are cited as disclosing the limitation "performing, by the wireless mobile device, a domain name query using the domain-specific application server name":

1. "a router with links named 'host1.inverse.net' and 'host2.alter.net' may be situated on the administrative boundary between 'inverse.net' and 'alter.net'" Chu col. 16, lines 14-17.

2. “A central server, such as the server at whois.internic.net, can be queries for the owner of a given IP address. Whois requests return **domain names**” Chu col. 16, lines 19-22.

Both statements refer to **reverse** domain name queries, not domain name queries. The paragraph containing the first statement refers to “using reverse DNS (hostname) lookups” and “[p]erforming a reverse DNS lookup on each IP address (e.g. 208.218.140.5 may map to inverse-gwl.alter.net).” The second statement refers to querying “for the owner of **a given IP address**,” which returns **domain names**. (Emphasis added). Using an IP address to obtain a domain name is essentially the definition of a reverse domain name query.

It is well known in the art that a reverse domain name query is **not** a type of domain name query. A domain name query accepts **a domain name as input** and provides **an IP address as output**. Application Fig. 2 (flows 250 and 260). In contrast, a reverse domain name query does the reverse; it accepts **an IP address as input** and provides **a domain name as output**. Application Fig. 2 (flows 230 and 240); Chu col. 16, lines 10-13 (stating “[p]erforming a reverse DNS lookup on each IP address discovered returns strings representing host names for links (e.g. 208.218.140.5 may map to inverse-gwl.alter.net).”

The cited portion of Chu solely discloses **reverse** domain name queries. It contains no discussion of domain name queries. The cited portions of Kelley and Barth, while not cited as such, disclose domain name queries. However, they do not disclose **reverse** domain name queries. Claim 1 recites a domain name query using a domain name returned by a reverse domain name query. None of the cited references discloses this relationship between the two queries, because none of the cited references discloses **both** a domain name query and a reverse domain name query.

Thus, none of the cited references discloses the limitation of “performing, by the wireless mobile device, a domain name query using the domain-specific application server name.” Further,

Chu col. 16, lines 7-32, disclosing a reverse domain name query, is cited for the limitation of “receiving, by the wireless mobile device, a response to the domain name query comprising a second IP address.” A response to the cited Chu reverse domain name query does not comprise an IP address. As stated in Chu, “a reverse DNS lookup... returns strings representing host names for links (e.g. 208.218.140.5 may map to inverse-gwl.alter.net).” The IP address (208.218.140.5 in the Chu example) is the input to the cited reverse domain name query, not part of the response.

**B. There is no motivation to combine Chu with Kelley or Barth**

The Office Action states that “one of ordinary skill in the art would have been motivated to [combine Chu with Kelley and Barth] so that the domain-specific application server name may be used by the domain name query to return an IP address of the application server.” The cited portion of Chu is directed to solving an entirely different problem from the cited portions of Kelley and Barth. It would not have been obvious to combine Chu with Kelley or Barth, because neither Kelley nor Barth is related to the problem Chu seeks to solve.

Chu “relates to network monitoring and more specifically to network monitoring of end user experience.” Chu col. 1, lines 7-9. The purpose of the cited portion of Chu is “determin[ing] which domains contribute which amount of delay” and accumulating “responsibilities for delays among various routers... to the service provider responsible for the router.” Chu col. 16, lines 25-32. Thus, Chu is concerned with monitoring network performance.

In contrast, Kelley and Barth both disclose use of the network itself. Kelley discloses an alternative domain name system without a local database. Kelley col. 2, lines 56-67; col. 3, lines 24-42. Domain name resolution is performed when a human using a network uses a textual reference to identify a network location, requiring conversion of the textual reference to a number. Kelley col.

1, lines 14-34. Kelley is thus directed to name resolution during the general use of the network, not monitoring network performance.

Barth discloses network load balancing. Barth col. 11, lines 11-18. Clients randomly generate one of 100 integers to construct a server name. Barth col. 11, lines 19-26 and 31-33. The random integers classify the clients into different categories based on the server name. Barth col. 11, lines 38-45. Barth is thus directed to load balancing during the general use of the network, not monitoring network performance.

The cited portion of Chu discloses determining if a router is a boundary router. Chu col. 16, lines 7-32. Kelley discloses domain name resolution. Kelley col. 3, lines 24-27. Barth discloses load balancing. Barth col. 11, lines 11-18. There is no teaching, suggestion, or motivation for a person of ordinary skill in the art to combine the determining if a router is a boundary router of Chu with the domain name resolution of Kelley or the load balancing of Barth. Kelley and Barth have no application to determining if a router is a boundary router. As an indication of this, as discussed above Chu discloses **reverse** domain name queries while Kelley and Barth disclose domain name queries. Thus, one of ordinary skill in the art would not combine Chu with Kelley or Barth.

### **C. Conclusion**

In view of the foregoing, it is apparent that the cited references do not teach the unique combination recited in Claim 1. Applicants therefore submit that Claim 1 is clearly and precisely distinguishable over the cited references in a patentable sense, and is therefore allowable over these references and the remaining references of record. Accordingly, Applicants respectfully request that the rejection of Claim 1 under 35 U.S.C. § 103(a) be withdrawn and that Claim 1 be allowed.

Claims 2-3 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Chu in view of Kelley in further view of Barth. However, Claims 2-3 depend from and further limit Claim 1.

Hence, for at least the aforementioned reasons that Claim 1 should be deemed to be in condition for allowance, Claims 2-3 should be deemed to be in condition for allowance. Applicants respectfully request that the rejections of dependent Claim 2-3 also be withdrawn.

Claim 15 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Chu in view of Kelley in further view of Barth. Applicants contend that the rejection of Claim 15 is overcome for at least some of the reasons by which the rejection of Claim 1 is overcome, as discussed above in the remarks for Claim 1. Hence, for at least the aforementioned reasons that Claim 1 should be deemed to be in condition for allowance, Claim 15 should be deemed to be in condition for allowance. Applicants respectfully request that the rejections of Claim 15 also be withdrawn.

Claim 20 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Chu in view of Kelley in further view of Barth. However, Claim 20 depends from and further limit Claim 15. Hence, for at least the aforementioned reasons that Claim 15 should be deemed to be in condition for allowance, Claim 20 should be deemed to be in condition for allowance. Applicants respectfully request that the rejections of dependent Claim 20 also be withdrawn.

Claims 4-6 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Chu in view of Kelley and Barth, in further view of Official Notice. However, Claims 4-6 depend from and further limit Claim 1. Hence, for at least the aforementioned reasons that Claim 1 should be deemed to be in condition for allowance, Claims 4-6 should be deemed to be in condition for allowance. Applicants respectfully request that the rejections of dependent Claim 4-6 also be withdrawn.

Claim 5 has been amended to recite “extracting” instead of “deriving” to clarify the antecedent basis in independent Claim 1. Applicant contends that the rationale underlying this amendment bears no more than a tangential relation to any rejection in question or the scope of Claim 5, because the amendments do not affect the meaning of Claim 5. Accordingly, Applicant

does not intend to surrender any equivalents encompassed by Claim 5 as a result of this amendment. *Festo Corp. v. Shoketsu Kinzoku Kogyo Kabushiki Co.*, 122 S.Ct. 1831 (2002).

Claims 16-19 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Chu in view of Kelley and Barth, in further view of Official Notice. However, Claims 16-19 depend from and further limit Claim 15. Hence, for at least the aforementioned reasons that Claim 15 should be deemed to be in condition for allowance, Claims 16-19 should be deemed to be in condition for allowance. Applicants respectfully request that the rejections of Claims 16-19 also be withdrawn.

In view of the foregoing amendment and distinguishing remarks, Applicants respectfully request allowance of Claims 1-6 and 15-20 as presented herein.

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Applicants do not believe that any fees are due; however, in the event that any fees are due, the Director is hereby authorized to charge any required fees due (other than issue fees), and to credit any overpayment made, in connection with the filing of this paper to Deposit Account No. 50-0605 of CARR LLP.

Should the Examiner deem that any further amendment is desirable to place this application in condition for allowance, the Examiner is invited to telephone the undersigned at the number listed below.

Respectfully submitted,

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